THE

COURT OF HONOR,

FOR

THE ADJUSTMENT OF DISPUTES;

AND

The Royal Code,

AS IT WAS SUBMITTED TO THE EUROPEAN SOVEREIGNS;

WITH

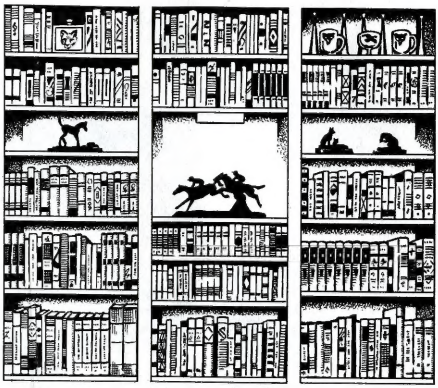
ANECDOTES, CASES AND DOCUMENTS, INTERESTING TO CHRISTIAN MORALISTS WHO DECLINE THE COMBAT; TO EXPERIENCED DUELLISTS, AND TO BENEVOLENT LEGISLATORS.

BY JOSEPH HAMILTON.

"Authority, although it err like others,
Hath yet a kind of medicine in itself."

LONDON:
PRINTED FOR THE AUTHOR.

1829



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TO

His Most Gracious Majesty,

KING GEORGE THE FOURTH,

THE ACKNOWLEDGED

FOUNTAIN OF ALL HONOR IN THE BRITISH EMPIRE;

THE

OUTLINE OF A COURT,

FOR THE ADJUSTMENT OF SUCH DIFFERENCES AS MIGHT LEAD TO DUELS,

IS RESPECTFULLY INSCRIBED,

BY HIS DUTIFUL AND LOYAL SUBJECT,

JOSEPH HAMILTON.

Annadale Cottage,
near Dublin.

INTRODUCTION.

THE princes, noblemen, and gentlemen of Christendom must have ascertained, by reading or their own experience, that, constituted as society at present is, they possess no adequate security against a challenge or offence.

Major DAWSON, with whose courage and good humour we are familiar, was challenged by a brother officer of equal rank, for merely pressing him to take another goblet; and General BARRY was challenged by a Captain SMITH, for refusing to take wine with him at dinner in a steam packet. The General in vain attempted to excuse himself, by declaring that wine invariably made him sick at sea. Dr. DODD says, "I have known a challenge sent to a person

for going out of the room abruptly, and leaving a man of honour in the midst of a dissertation." We could name a thousand instances like those, which remind us of the quarrel between VIOLA and Sir ANDREW AGUE, in which the latter says, "You broke my head for nothing;" and Viola replies, "You drew your sword upon me without cause."

In the cabinet, the senate, and the courts; the masquerade, the ball-room, and the theatre; the club-room, the tavern, and the street; in every situation, and in every company, the inconsiderate behaviour of one individual may involve the feelings and the existence of another.

Members of the royal family, ministers of state, legislators, judges, and other public functionaries, who might well have pleaded their official situations, have yielded to the pressure of a practice which they secretly condemned. Even preachers of the gospel

have engaged in single combat;* and General HAMILTON, after writing against duelling, was unfortunately tempted to meet AARON BURR, by whose hand he fell a victim, on the very spot where his son had fallen before him. Who, then, can justly be surprised if the youth of Oxford, Cambridge, Eton, Westminster, and minor schools, should frequently commit themselves in mortal combat; or that persons in more humble walks of life, should hold themselves amenable to what the world has called the laws of honour, and

"Stand at another bar than that of law."

Born and educated in a country which

* Captain CALLANAN asserted, that the Rev. Mr. SAURIN offered to throw by his cassock. The Rev. Mr. HODSON fought and wounded Mr. GRADY, at Boulogne, in August, 1827; and in October, 1825, the Rev. H. T. fought Colonel W., between St. Omers and Cassell, where both were wounded. In 1769, the Rev. Mr. GREEN fought Captain DOUGLAS, in Hyde Park; and the Rev. Mr. BATE fought Mr. R., of the Morning Post, in the same park, upon the 14th of September, 1780.

has been emphatically called *The Land of Duel,* and acquainted with several of its most chivalrous inhabitants, a case of *point blank* pistols was almost our earliest boast. We have sometimes felt ourselves obliged to ask the reparation of an injury, or satisfaction for an offence; but with deep, deep gratitude we here record the fact, that the controller of all human actions never saw those pistols levelled at a fellow subject, a hostile message forwarded to our address, or a shot discharged, when the counsel which we offered was adopted. During the last thirty years, we have had much experience, in the direction both of principals and seconds, and have held directly opposing sentiments upon the subject. For half that period, we have firmly believed, with others, that duelling was a kind of necessary evil, and the best corrector of some ills, with which society abounded. Thank heaven, we now hold very different doctrine on the

subject; and, shocked by the atrocities of a thousand anecdotes and cases, which we have collected with a view to publication, we are desirous of slaying a desolating monster, or, at least, depriving it of its talons and its fangs. If we cannot persuade our fellow citizen to abstain from the field, our solicitude would follow him as long as counsel might be useful in averting evils which are so frequently attendant on the *dernier resort*. We would impress upon the minds of sovereigns and of legislators, that individual feeling, and domestic happiness, do not enjoy the security of all those shields, to which they justly are entitled. We would enroll the names of princes and of nobles, of private and of professional gentlemen, who are disposed to co-operate in the establishment of courts of honour, for the arbitration of disputes which may be capable of adjustment; and we would promote another institution, for the total abolition of a practice,

which, after much experience, conversation, and reflection, we conscientiously conceive to be "more honoured in the breach than the observance." Thus we would become all to all, that all might be preserved from insult, injury, and the melancholy consequences which are so frequently attendant upon single combat.

Before we composed our short reflections upon duelling, with a view to the total abolition of the practice, we carefully perused almost every publication which had appeared upon the subject, and endeavoured to condense, into the smallest possible compass, all the arguments which had been urged by the Christian, the moralist, and the man of common sense. We sent copies of that work to several courts in Christendom, and were unsuccessful in our effort to induce a simultaneous movement on the subject. We found it was too generally considered that "a practice sanctioned by

time and precedent, which has withstood the raillery of the satirist, the terror of the penal laws, and the admonition of the pulpit, nay, the fear of a future state, could never be abolished." We found persons high in power thought, with JONAS HANWAY, that "while so many adopt false principles of action, it is impossible to eradicate this most pernicious custom." We found many were of opinion with Sir WALTER SCOTT, who, in his letter to us upon the subject, says, "Doing the fullest justice to the philanthropy of your motives, I am still afraid that the practice of duelling is so deeply engrafted upon our forms of society, that, for a length of time at least, until mankind may entertain much clearer views upon most moral subjects, it will hardly fall into disuse."

We know that two sovereigns of Christendom have committed themselves as principals, and that others have recognised the

sad necessity for duelling. The editor of the Literary Gazette asserts that, on examining the correspondence of Lords WELLINGTON and WINCHILSEA, his Majesty expressed himself to the effect that "it was a matter of personal honour and feeling, and that, being a soldier, his Grace might, perhaps, be more sensitive on such points than an individual of a different class in society. He therefore supposed, that the course pursued had been unavoidable." *

A London editor has very justly said, "Duels have become so common, that we cease almost to hear of their immediate causes. It is now deemed, by those who record passing occurrences, quite sufficient to say, that a meeting took place between two gentlemen, as if it were an interview

* M. CARON DE FROMENTELLE, the Procureur du Roi, when writing to the Rev. J. R. HODSON, a Protestant clergyman, who fought and wounded Mr. THOS. WM. GRADY, at Boulogne, says, the parson "yielded to a barbarous prejudice, unfortunately not to be gotten rid of."

of pleasant courtesy, instead of an arena, where either may too often exclaim, with Richard,

"Of one or both of us, the time is come."

When GEORGE ROBERT FITZGERALD was introduced to the King of France by the British Ambassador, his Majesty was informed that the Irishman had fought six-and-twenty fatal duels. Lieut. C——KS, of the navy, fought three duels in a day. BARRINGTON says, two hundred and twenty-seven memorable and official duels were fought during his grand climacteric; and we can produce three newspapers, which announce nine fatal meetings on the ground. Surely, then, we may assert, with SHAKSPEARE'S JULIUS CÆSAR, that

"Slaying is the word; it is a deed of fashion."

Having failed in our endeavours to promote the abolition of the practice, we were next induced to try if we could lessen its

attendant evils. We found, in several thousand anecdotes and cases, which we had collected during thirty years, a mass of evidence that the grossest atrocities and errors were committed hourly on the subject. We conceived that such atrocities and errors might possibly in future be prevented, by the extensive circulation of a well-digested code of laws, in which the highest tone of chivalry and honour might be intimately associated with justice, humanity, and common sense; and we were encouraged by several experienced friends, as well as by Plato's strong assurance, that it is truly honourable to contrive how the worst things can be turned into better.

After carefully perusing our collection of remarkable quarrels, challenges, replies, rencontres, duels, and reconciliations, we sketched out a code, consisting of twenty articles, which we submitted to experienced friends in Ireland. We next forwarded

manuscript copies to the first political, military, and literary characters of the age; and received the most complimentary assurances of approbation. In May, 1824, we forwarded printed copies for the several courts of Europe and America, as well as to the conductors of the public press, for the purpose of inducing the transmission of such corrections and additions as might, if possible, render it deserving of universal acceptation: and we have now the satisfaction of presenting to the world a collection of highly-applauded rules, for the government of principals and seconds, in our ROYAL CODE OF HONOUR.

We should weary the reader, were we to publish all the complimentary letters which we have received, from princes, noblemen, statesmen, officers, and others, for our public labours upon this important subject;* a

* Our truly estimable and respected friend, the Rev. Dr. BURTON, the assistant chaplain to the Dublin garrison,

few of them, however, may suffice to recommend our works, and to justify us for submitting to the world, the only approved guide through all the stages of a quarrel; for the advocate of single combat, and for the Christian moralist who scruples fighting.

has been pleased to call our reflections upon duelling, "The Annual Hamiltonian Præmium;" and we value the compliment more highly, on account of his general devotion to the advancement of his pupils, whom he treats invariably as if they were his children.

We could quote innumerable instances of fatal duels, between fellow-students at colleges, and very young classmates at schools, which would justify us in recommending parents and teachers to adopt our publication as a præmium book, or keepsake, for the youth beneath their care.

Two boys, aged 16, named WETHERALL and MORAN, fought near Mark's Church, Dublin. Two boys of the same age, who had been expelled from Yale College, fought with rifles, at the distance of twenty paces: they were encouraged by their parents, one of whom was witness to the death of his son. Two pupils of the Polytecnic School, aged 17, fought in the Bois de Boulogne, when one of the seconds was mortally wounded, by standing too near his principal. If duels between persons of very tender age are calculated to excite our sorrow, what feelings of indignation must be roused on the perusal of some cases, in which near relations—kinsmen, and even brothers, have been allowed to slay each other.

The following has been copied from the letter of Colonel SHAW, secretary to the Marquis WELLESLEY, when that accomplished nobleman was viceroy of Ireland.

"*Woodstock, Nov.* 15, 1823.

"SIR,

"I have had the honor to lay before the Lord Lieutenant your letter of the 12th instant, together with your Work on Duelling, for which I am directed to return you his Excellency's best thanks, and to express to you his approbation of the laudable object of that publication. I have the honor to be, sir, your most obedient, humble servant,

"M. SHAWE."

JOSEPH HAMILTON, ESQ.

Annadale Cottage, near Dublin.

A nobleman, and general officer, who has fired eight shots in a single duel, says;

"I have been favoured with yours of the 26th ultimo, together with the accompanying inclosures, in reply, I beg leave to say, that the proposed association shall have my support, and I shall be much obliged to you to send me a dozen copies of the work."

Another nobleman, who is equally re-

spected for his patriotism and exalted sense of honor, says;

"I admire extremely, and approve of your benevolent exertions to put an end to the barbarous system of duelling; but I fear that, barbarous though it be, it is the means of civilization, and acts as a kind of safety valve to the ebullition of passion. Many despotic, and many wise and liberal princes, have endeavoured to put an end to the practice, but in vain; and when they have failed, I fear that any exertions of mine, even with your assistance, would prove altogether ineffectual. If, however, two men of known and respected character, and two military men, join in such endeavour, I shall not object to lend my feeble assistance."

Extract from the letter of the Rev. CHARLES BARDIN.

"DEAR SIR,

"I have received your very beautiful little book. May your purpose meet with that blessing which its benevolence deserves. I have the honor to be, dear sir, your faithful servant,

"CHARLES BARDIN."

The Royal Code of Honor, having been submitted, both in manuscript and print, to the late Duke of YORK, as chief commander

of the army, he was pleased to direct the following reply, from the Horse Guards.

"Sir,—I am directed by the Commander-in-chief to acknowledge the receipt of your letter of the 8th ultimo, and to return you his Royal Highness's thanks for your attention, in sending him a copy of your valuable publication, entitled the Royal Code of Honor, &c. I have the honor to be, sir, your most obedient, humble servant, H. TAYLOR."

Extract of a letter from Sir WALTER SCOTT.

"The advice to seconds appears most excellent, and the Code of Honor seems highly capable of softening the atrocities of our Gothic custom."

Extract of a letter from Captain FOTTRELL, of Dublin.

"DEAR SIR,

"I have received, with gratitude, your two publications, the *School for Patriots*, and *Royal Code of Honor*. With attention I have perused the latter, which consists of *sixty articles, to every one of which*, I most *heartily* subscribe.

"There are few men in Dublin, or perhaps in Ireland, who have been more engaged in the adjustment of misunderstandings, than I have; and by the adoption of similar principles to those which

you have laid down, I have the happiness (thank God,) to say, that in almost every case, amicable arrangements have taken place, and *in no instance,* has recourse been had to those evils, which it is your object to avoid.

"The *Christian* and *philanthropic* principles which prompted you to bring before the public this little *(though great)* work, entitles you to their gratitude. Believe me very sincerely yours,

"PATRICK FOTTRELL."

In Dublin, it would be needless to assert, that the writer of the last letter is one of the most honourable individuals who has ever yet been placed in the situation of a principal or second. His desperate duel with Colonel Ross, when he stood as a champion for the press, will be found amongst the hundreds which we have collected.

Other testimonials, with the names of such sovereigns, princes, noblemen, and gentlemen, as approve of courts of honor, or anti-duelling associations, will be published at the conclusion of the work, as well as a copious index to the cases.

Lest the most rigid moralist should be scandalized by rules which seem to sanction duelling, we will just suppose a case, in which we should expect his warm co-operation. A. being armed with a sabre, swears that he will cleave the skull of B. for having given him a very slight offence. In vain do we urge the first aggressor to apologize; in vain do we remonstrate against the rashness of A.'s oath, and the barbarous cruelty of its fulfilment; and just when the sabre is descending with an almost fatal certainty, we push B. so far aside, that, instead of being slain upon the spot, he escapes the blow entirely, or receives a trifling scratch upon his arm. Surely this is not sanctioning evil for the sake of good! We trust it will, at least, find much extenuation before Him who said, "they that are whole need not a physician," and who went about continually doing good, even at one table with the publicans and sinners.

Anxious to avoid offence by the publication of such cases as might have been erroneously reported, either verbally, or in print, we gave the following notice, through several of the Metropolitan Journals.

"DUELLISTS AND THEIR FRIENDS have now an opportunity of permanently correcting any misconceptions, or mis-statements, respecting those affairs in which they may be interested, by a post paid letter for JOSEPH HAMILTON, of Annadale Cottage, Phillipsburgh Avenue, near Dublin; as he is preparing to publish the only Approved Guide through all the stages of a Quarrel; containing his Royal Code of Honor, as it was submitted to the European sovereigns; some short and useful reflections upon duelling; several curious challenges and replies; with thousands of documents, anecdotes, and cases, interesting to Christian moralists who decline the combat, to experienced persons on the point of honor, and to benevolent legislators."

Evidence of our anxiety to avoid offence will, we trust, be found in the following dedication, which accompanied the first edition of our Reflections upon Duelling:

"To the mothers, sisters, wives, and daughters of the nation which he loves, as well as to all those whom at any period of his life he may have injured or insulted; and to those who may have injured or insulted him; these pages are, with very great sincerity and satisfaction, inscribed, by, &c."

Indeed, we have never written, nor spoken an offensive word, against a nation, an individual, or a body, which we would not now be happy to recal. The man who cannot emulate Moore's noble apology to the Duke of Richmond, is deserving of compassion. "I shall at least," says the patriotic Melodist, "be forgiven by those who have ever impatiently longed for an opportunity of acknowledging a fault and repairing an injustice." If, in the discharge of what we think is a great public duty, we should unjustly wound the feelings of a principal or second, we shall cheerfully correct the error in a future impression. We, however, must insist upon our right, to pass a public censure upon any individual, who may have

publicly departed from the good behaviour of a gentleman, or trifled with a life which has been committed to his care.

A circumstance which is associable with our labours on this subject, should perhaps be briefly noticed here, although we mean to speak more fully on the subject in a future page. It will be found, upon a reference to the public journals of May, 1824, that the Code of Honor was, at that time, in print, after having long been circulated in manuscript, throughout Great Britain and two Continents. For the establishment of this point, we shall only copy the introductory observations of the Dublin Journal, dated May 5th, 1824, just six months after we had received the best thanks and high approval of an Irish Lord Lieutenant.

"The following Articles have, we understand, been carefully submitted to persons of the very first rank, courage, discretion, and experience, for the purpose of laying the foundation of a code, which

might lessen the mischiefs usually attendant upon duelling, until its desirable abolition can be effectually achieved; and the author, JOSEPH HAMILTON, Esq. of Annadale Cottage, near Dublin, has received the most flattering assurances of their favourable reception, by those classes in society for whose advantage they were benevolently framed. As he invites the suggestion of improvements and additions, there is scarcely a doubt but our contributing to the universal circulation of the articles, may confer an important benefit upon society. Mr. HAMILTON'S reflections upon duelling were perhaps more flatteringly reviewed, than any modern publication, and obtained for him the most complimentary communications from several distinguished statesmen, soldiers, and writers in Christendom, as well as from the executive authority in Ireland. The present code would certainly prevent that violence of language and of action, which so frequently precludes an *amicable settlement.*"

"THE CODE OF HONOR, as approved of by several individuals of rank, courage, experience, and discretion, and most respectfully submitted to the sovereigns, princes, noblemen, and gentlemen throughout the earth, for the purpose of inducing the transmission of such improvements and corrections, through the ambassadors at the British Court, and the members of the Imperial Senate, as may at

least abate the evil consequences attendant upon duelling, until a successful effort can be made for the total abolition of the practice."

(Here followed the Code of Honor.)

Until the publication of the above, the *book-makers* of Christendom had, for several hundred years, permitted human blood to be continually shed, under the most gross mismanagement; but, within half-a-year after the deficiency had been supplied, at a very considerable expense of property and time, an *anonymous* candidate for emolument and fame announced himself by a public advertisement in the *Courier*, chusing a name for his work which was associable with the cognomen we had previously adopted, and which must at once remove all doubt as to the motives of the advertiser. We lost no time in cautioning the booksellers who were referred to, against any violation of our copy-right; and it was not until the following year that we could obtain a work, the

compiler of which was unable to acquire the sanction of the Duke of York.

He contends that the regulation of the point of honor is a consummation devoutly to be wished; that "the greater number of conflicts which have for some time astonished the public, could not have taken place, if due attention had been paid to those principles which only can form the gentleman;" and he follows the example which we set him, long before, by soliciting materials to complete his edifice.

Columbus found a man who could even place an egg erect, when the discoverer of America had flattened one of its ends, by a very gentle tap upon a table. Thousands may now propose a voyage to America with impunity; but the law of copy-right, and the approving testimony of all civilized society, secure the honor of this publication to one humble individual, who studies both the duties and the rights

of a faithful subject, and a patriotic citizen; who most firmly believes that every person is responsible before Heaven for the use of fortune, influence, rank, or talents; who would rather save a single life than wear a civic crown; and who hopes that the published and unpublished labours of his pen may justify his children for inscribing the following lines upon his grave:

"May all mankind make honest use
Of talents God has given,
And every faithful patriot be
A citizen of heaven."

JOSEPH HAMILTON.

Annadale Cottage, near Dublin.

The duodecimo size has been preferred to the octavo, as a gentleman may sometimes wish to put a volume in his pocket. If we cannot confine the work to four neat volumes, for a pound, we shall reserve the surplus matter for a Supplement, of one or two additional. Post paid communications may be addressed to the London Coffee-house, on Ludgate-hill; or to Annadale Cottage, near Dublin.

THE

COURT OF HONOR.

CIRCULAR.

"But those
Stand at another Bar than that of Law."

———,

SHOULD you approve of the accompanying "Extract from the Dublin Freeman's Journal," I shall feel obliged by your benevolent co-operation in the achievement of its object, with Noblemen, Officers, and others, of unquestionable bravery, who are less hostile to the principle, than to the abuse of duelling.

There are many honorable men, who with Laertes say,

> "I will no reconcilement,
> Till by some older masters of known honor,
> I have a voice and precedent of peace,
> To keep my name ungored."

Let rank and influence combine with promptitude, in effecting a great moral revolution. The coeuvrechief of chivalry, softened down the rigors of the tournament, and the knights of Malta fought their duels under saving regulations.* Who then can be an ad-

* Rene d'Anjou, who wrote upon the forms of tournaments, informs us that before the conflict was commenced, the king of arms used to lead some valiant knight or squire before the women, and to say, "Thrice noble and redoubted knight, or thrice noble and gentle squire, as it is always the custom of women to have a compassionate heart, those who are assembled in this company, in order to behold the tournament which is to be held to-morrow, make known their pleasure that the combat before their eyes must not be too violent, or so ordered that they cannot bear assistance in time of need. Therefore they command the most renowned knight or squire of the assembly, whoever he may be, to bear right to-morrow, on the end of a lance, this present coeuvrechief, in order that when any one should be too grievously pressed, he may lower this coeuvrechief over the crest of those who attack him, who must immediately cease to strike, and not dare to touch their adversary any more; for from this hour, during the rest of that day, the women take him under their protection and safeguard." The coeuvrechief, which was

vocate for unnecessary slaughter, and hold an enviable station amongst civilized society? If prohibited to bathe in royal reservoirs of honor, he may skulk with unraised vizor, and polluted plume, to herd with tiplers at a tavern, or with blustering bullies at a brothel; but he can no longer with impunity occasion such a scene as we have sketched for our reflections upon duelling, and under which we might have quoted those sad lines from Hervey.

"Here lies the grief of a fond mother, and the blasted expectation of an indulgent father. The youth grew up like a well-watered plant; he shot deep, and rose high; but just as the cedar began to tower, and promised, ere long, to be the pride of the wood, and prince among the neighbouring trees—behold! the axe is laid unto the root; the fatal blow is struck; and all its branching honors tumbled to the dust. And did he fall alone? No; the hopes of his father that begat him, and the pleasing prospects of her that bare him, fell, and were crushed together with him."

When parties wishing for the opinion of a Court of Honor, may feel a delicacy in the publication of their names, which might, by

a kind of hood enriched with embroidery, was then entrusted to his care. The knights of Malta were restrained to fight their duels in a particular street, where ladies, knights, and priests, were generally found to exercise their privilege, and say with Randolf,

"Hold! I command you both."

possibility, occasion their being held to bail, their cases may be anonymously, or confidentially communicated to the Registrar, who can assemble a Court in London, or in Dublin, at a very few days notice.

By favouring me with the name of any nobleman or gentleman who may be willing to assist me, or the particulars of any case, possessed of remarkable or interesting features, you will considerably enhance the value of your kindness.

Any franked communication may be forwarded to my residence, or to the London Coffee-House, on Ludgate-hill, for

Your most obedient, and
Very humble servant,
JOSEPH HAMILTON.

Annadale Cottage,
Dublin.

Extract from the Freeman's Journal of July 18, 1828.

"IN several of the continental states, Courts of Honor have been established lately, for the adjustment of such differences as might lead to duels. The Kings of Prus-

sia* and Bavaria, are amongst the number of their patrons, and the late Duke of York was favourable to their institution in Great Britain. The time has passed away when Duelling was resorted to for pastime, or the love of fighting, and men meet now upon affairs of honor, for no other reason under heaven, but because they think the world requires that they should fight. Let them but feel, that they have fully satisfied the wishes of mankind, and they will avail themselves of every honorable source of reconciliation. Thus, in the army, where the highest tone of chivalry may be reasonably sought for, it is customary for a gentleman to abide by the opinion of his brother officers.

" Mr. JOSEPH HAMILTON, of Annadale Cot-

* The King of Prussia has addressed a Cabinet order to the Minister of War, enjoining him to signify to the army his majesty's displeasure at the frequency of duels, which originating in miserable trifles, have deprived the country of many promising officers, and plunged their families into mourning. His majesty's orders are, that the corps of officers and generals shall, by vigilance and exhortation, combat this fatal prejudice, and, in case of need, bring those who are the authors of the challenge before the tribunals of honor, according to the ordinance of 15th February, 1821.

tage, near Dublin, who was the author of two works on Duelling, is now collecting the names of persons, whose station in society, or experience, either as Principals or Seconds, should qualify them to form a competent tribunal, for the decision of all questions on the point of honor; and until some other gentleman shall be kind enough to occupy his place, he has volunteered to be the Registrar. He proposes that the court shall be composed of a president, four vice-presidents, and such persons of the following description as may avow their readiness to act on such a tribunal; videlicet, peers, the sons of peers, members of parliament, baronets, knights, the honorable society of King's Inns, the military, naval, medical, and surgical professions, gentlemen who have filled the offices of mayor or High Sheriff, justices of the peace, estated gentlemen, members of the law, jockey, and ouzel galley clubs, bankers, bank directors, and merchants, with authors, proprietors, and editors of all public works. That a member of the royal family shall be respectfully solicited to patronize the effort. That principals, their friends, and every individual of the court, shall be at li-

berty to put any question in writing, on which it may be desirable to take a judgment, and that the *ayes* and *noes* shall only be expressed by white or black beans, to prevent the possibility of jealousy between the suitors and their judges.—He proposes, that the latter shall be assembled by the registrar, if in the capital, or by a member of the court, if in the country, at the request of either a principal or second. To prevent the evils which frequently arise from personal collision, and from oral statements, he proposes that all facts and arguments shall be submitted to the court in writing, and upon the honor of the parties.—The expenses of the establishment to be defrayed by the parties, and by the voluntary contributions of benevolent individuals.

"Such a court, in every city, shire, and country town, throughout the empire, might prevent a number of fatal duels, arising out of very trifling causes; and, doubtless, would experience adequate support from the truly sensible and brave. Mr. Hamilton has collected nearly one thousand accounts of remarkable quarrels, challenges, replies, duels, rencontres, apologies, and reconciliations, which must be

highly useful to refer to as precedents, and from which he derived considerable aid, in the formation of the Royal Code of Honor—a work which was submitted to all the European sovereigns; which obtained the thanks of the Duke of York, and which Sir Walter Scott considered as 'highly capable of softening the atrocities of our Gothic custom.'"

We now most respectfully solicit the prompt and generous co-operation of every individual in society.* We beseech the mothers, sisters, wives, and daughters of the world, to banish from their circles the habitual duellist,

"Who kills his man, and triumphs oe'r his maid."

But chiefly we implore the aid of those in power; The Royal Fountains of all worldly honors, to justify our hopes, to crown our labours, and to draw down heavenly benedictions on their thrones.

* Prince Eugene said to Zindendorf, "The soldier is so weary of being cruel during war, that he ceases to be so in the time of peace. I wish that every minister who decides between them, had been in the service, that he might know what it is. He would consent to arbitrations, as in a law-suit, mediations, moderations, before he would determine to spill so much blood."

BRIEF

ANECDOTES OF DUELLING.

"Nothing extenuate;
Nor set down aught in malice."

WE shall commence our collection of Anecdotes and Cases,* with the following letter, from a highly-gifted gentleman, because it may induce the transmission of other documents in time for our intended supplement.

Dear Sir—When I had the pleasure of meeting you at the house of my friend, Mr. Gartlan, you made a request that I would furnish you with a statement of the particulars of the remarkable duel, between Mr. Price, brother to the present manager of Drury-lane theatre, and a Major Green, of the British army, which took place near Hoboken, on the Jersey shore, opposite to the city of New York:—absence from home, and some pressing affairs, have prevented me from laying them sooner before you.

That fatal meeting took place in the spring of 1816, and, being in the city of New York at the time, I can

* Although we do not like the style in which many of our Anecdotes and Documents is written, yet we prefer it to an altered one, which might by possibility have influence on points of such a very delicate description.

only trace its origin from a recollection of the statement then current in that city. Major Green arrived at New York in the winter preceding, on his way to Canada, it being the usual route when the St. Laurence is frozen. During his stay there he went to the theatre, and took a position in a box next to one occupied by some American ladies, who were escorted by Mr. Price, whose brother was manager to the theatre. In the course of the entertainment Mr. Price complained to Major Green of what he conceived to be an insulting liberty he had taken in staring rather too steadfastly at some of the ladies under his protection. Major Green in apology stated, that he was a stranger just arrived from Europe, that he was ignorant of the manners of America, and that in looking at the fair women in his box, he only exercised a privilege common to every man in England, of regarding beauty in whatever place or rank it was to be found. If, said he, that privilege be not allowed here, and that I have offended by exercising it, I beg pardon for having unintentionally given an offence. The matter so far ended. Major Green pursued his route to head-quarters in Canada, but he was not long there, when some person communicated to him, that after his departure from New York, Mr. Price boasted he had made a British officer knuckle to him, and he had taught him manners,—with some other observations reflecting on his honor and courage. These remarks being generally known, the Major felt himself bound to notice them. He laid the case before the commander and officers of his corps, who declared he was

bound to seek an explanation; and accordingly got leave to proceed to New York when the rigours of winter had passed over.—He waited on Mr. Price, and demanded if he had made the observations alluded to. He did not deny them, and being asked for an apology, would give none; so that a meeting became inevitable.

By the laws of New York, duelling is so far repressed, as to punish the survivor with death, as if he were guilty of murder. To evade them, cases arising in the city of New York are generally decided on the opposite shore of the Hudson, which divides New York from the state of Jersey, where the laws against duelling are not so severe. The spot usually selected is near Hoboken, being a piece of ground of two or three perches square, on the rocky and precipitous bank of the river; it is only accessible by water, and a more retired or silent situation for the murderous operation of the laws of honor could not be found.

It was on a sabbath day the parties took boat at New York, and met on this fatal ground—the only spot in the world, perhaps, which is exclusively used as a field of honor. The parties tossed for ground, when Major Green obtained the south side, and Mr. Price the north. The distance was twelve paces, and the parties fired together by word. The first fire was ineffectual, when some effort was used by Major Green's second for an adjustment, without effect. The second fire was alike ineffectual. Major Green and his second then stated, they were unwilling to carry the matter further. Major Green had nopersonal hostility to Mr. Price;

the courage of the parties had been sufficiently attested, and the Major having vindicated his honor, so far as to preserve his reputation amongst his brother officers, was ready to walk off the ground. To this Mr. Price objected; and according to the unfortunate and sanguinary practice in America, insisted on continuing the fire until either fell. "If murder then," said Major Green, "and not a vindication of character, be the object, I must consult my safety—let us advance three paces." It was agreed: the distance was thus reduced to six paces—the word was given,—Mr. P. received his antagonist's ball through the brain, and fell dead upon the spot.

After this calamitous affair, Major Green immediately departed; and to avoid all trouble, went on board a ship, then under weigh for Europe. The news of this duel was not generally known in the city until next morning, when it produced a painful excitement, Mr. Price being highly esteemed through an extensive circle of acquaintance.

Thus far this unfortunate affair: but as you are writing on the subject of duelling, I will add a few circumstances that may prove interesting to you. It was in this place, the only son of General Hamilton fell in a duel, which sad event induced the General to write a work against the practice of duelling, which attests the force of his Christian-like and philosophic mind. But such is often the force of circumstances, that public men cannot control their actions, and the General lost his life on the same fatal ground on which his son

expired. A difference arose between him and a Mr. Aaron Burr, a lawyer of New York, who was then candidate for the high office of Vice President of the United States, on the democratic interest; the General was the great leader of the federal interest. From the rancour and vehemence of party feeling at that time, a reconciliation could not be effected, and the fatal extremity was resorted to. By his death, the public mind in America received a shock, co-equal with the gratitude due to him for the eminent services he had rendered his country. He was the friend of Washington, and chiefly contributed to the formation of the federal constitution of the United States, in 1787. His remains were interred with all due honors, in the principal episcopal church of the city, where a splendid monument has been erected to his memory.

On the morning after the death of Mr. Price, a friend of mine, from Bridgetown, Barbadoes, who was afterwards killed in a duel there, proposed to me, that we should take a boat, and visit the place where these, and so many other duels had taken place. It is about four miles from New York; but before we went there, my friend proposed to me the opportunity of seeing the ex-Vice President, Mr. Burr, with whom he had some professional business as a lawyer. The office was crowded with persons; and while my friend was engaged in conversation, I attentively viewed his person. His emaciated and care-worn figure, fortified my conviction that, to a sensitive mind, to be the survivor in a duel is nearly as disastrous as death itself.

We entered our boat, and directed our course for the nearest habitation to the duelling ground, to which the boatmen generally retire while the affair is going on. We there took in a person, who narrated the circumstances of the last and many preceding duels; one of which had occurred a short time before, when the parties fought by moonlight, and fired nine rounds.—On reaching the spot, the ground was stained with gore, and we picked up a ball from the turf beneath where Mr. Price had stood. A white marble monument has been erected here, also, to the memory of the lamented General Hamilton, with a suitable inscription.

In your work on duelling, you recommend that the seconds should never place the antagonists near a rock, a wall, or a hedge, or any object running parallel to the parties, as it gives an undue advantage to one over the other, by rendering the aim more certain. The truth of this has often been exemplified on the duelling ground I have described. Before the erection of the monument to General Hamilton, the rock served as a direction to the person on the south side, while the person on the north had his face to the water, and it is remarkable, that the deaths of the three persons I have mentioned, occurred on the same side, that is, the north. At present, the monument is in front of the rock, but its base being long, it serves as a direction.

I find these details have carried me to a greater length than I expected:—in the hope that your benevolent labors may tend to check a practice that has

descended to us from barbarous times, and equally violates human and divine law, I have the honor to be,

Dear Sir,

Your most obedient servant,

THOMAS BRODIGAN.

In justice to the memory of Mr. Price, we insert another account of the same transaction, which we received from our worthy friend, Counsellor Dillon, who happened to be at New York at the period of the duel.

"Mr. Price espoused the cause of a young lady, who had been insulted at the New York theatre. The British officer, sensible of his error, made a very ingenuous apology; but on his return to Montreal, his head quarters, he was put into Coventry by his brother officers, on a charge of having apologized to a person whom they called a *damned Yankee*, which they considered beneath the dignity of a British officer. He was obliged to return accompanied by some of his brother officers; he publicly struck Mr. Price in Broadway, which led to a meeting at Hoboken, on the opposite shore of the Hudson River, at twelve yards distance with pistols, in a valley between two great rocks. Each fired six shots; no apology would be made; and the seventh shot entered the head of Mr. Price, who died immediately. The public feeling was evinced by a splendid marble monument upon the scene of action, in testimony of respect for him while living, and regret for his fall in such a sanguinary conflict."

Royal and Viceregal Quarrels.

"I set so low a price upon my blood,
That you may tap my veins at your good pleasure."

CYRUS AND THE KING OF ASSYRIA.

When Cyrus drew nigh to Babylon, he sent a challenge to the King of Assyria, offering to decide their quarrel by a single combat; but his challenge was not accepted of.

DAVID AND GOLIAH.

David, who was afterwards exalted to the throne of Israel, accepted of a challenge which had frequently been published by Goliah. They met in a plain between the Philistine and Hebrew armies, and David slew his adversary.

TURNUS AND ÆNEAS.

These two princes fought in single combat, which proved fatal to the former.

ARUNS AND BRUTUS.

After Tarquin's expulsion from the throne, and when he was preparing to engage the army of the republic, commanded by Valerius and Brutus, his son Aruns, seeing the latter at a distance, singled him out for combat: they both met with such rage, that eager only to assail, and thoughtless of defending, they both fell dead upon the field together.

ANTONY AND CÆSAR.

Antony having challenged Augustus Cæsar to fight a duel, the latter very calmly replied, "if Antony is weary of his life, tell him there are other ways to death than the point of my sword.

The Hebrew and Roman duels were all fought on public grounds. History furnishes us with no examples of duels which arose from private quarrels.

HENRY IV.

Henry Plantagenet or Bolingbroke, who was afterwards King of England, challenged the Duke of Norfolk, and when due preparation was made for the combat, they were interrupted by the Ho! Ho! of a herald, at the king's command.

HENRY V.

When Prince of Wales, struck Judge Gascoyne while

presiding on the bench. That independent functionary sent the wayward Prince to prison; yet upon his exaltation to the British throne, Henry lost no opportunity of evincing his concern for the outrage, or his respect for the Chief Justice.

TWO IRISH PRINCES.

One Irish provincial prince sent the following laconic message to another: "Pay me your tribute, or else —" To which the other replied, "I owe you no tribute; and if I did —"

MALCOLM III. KING OF SCOTLAND.

The King having received information that one of his nobles had conspired against his life, enjoined the strictest silence on the part of the informer, and took no notice of it himself, until the person who was accused of the treason came to court, for the purpose of executing his design. The next morning, the king went out to hunt, with all his courtiers, and when they were in the centre of a forest, he drew the traitor aside, where unattended, he addressed him thus: "Behold, we are here alone, armed and mounted equally. Nobody hears or sees us, or can give either of us help against the other. If, then, you are a brave man, perform your purpose, accomplish the promise which you made my enemies.— If you think I should be killed by you, when can you do it better? when more opportunely? when more

manly? Have you prepared poison for me?—that is a womanish treason. Or would you murder me in my bed?—an adulteress could do that. Or have you concealed a dagger to stab me secretly?—that is the deed of a ruffian. Rather act like a soldier, act like a man, and fight with me hand to hand, that your treason may, at least, be free from baseness." The traitor fell at his feet, and implored a pardon which was granted.

FRANCIS I. AND CHARLES V.

At the breaking up of a treaty, in the year 1527, between the Emperor Charles V. and Francis I., the former desired the Herald of Francis to acquaint his Sovereign, that he would henceforth, consider him not only as a base violator of public faith, but as a stranger to the honor and integrity becoming a gentleman.—Francis, instantly sent back the Herald with a defiance, giving Charles the *lie* in form, and challenging him to single combat, with any weapon he might chuse. The challenge was at once accepted, both were equally brave, and though all thoughts of so extraordinary a duel, were at last, laid aside, the example of such illustrious personages, (so powerful is the dominion of fashion) produced instantaneous and melancholy effects throughout all Europe.

GUSTAVUS ADOLPHUS.

Gustavus Adolphus, at one of his public reviews,

having a dispute with Colonel Seaton, an officer in his service, gave him a blow, which he resented highly. As soon as the review was over, the Colonel repaired to the King's apartment, and demanded his discharge; which his majesty signed, and the Colonel withdrew without a word being said upon the subject of the quarrel.

Gustavus, however, on coolly considering the matter, reproached himself for his want of temper, and hearing that Seaton intended to set out next day for Denmark, he followed him, attended by an officer and two or three grooms. When his majesty reached the Danish frontier, he left all his attendants except one, and overtaking Seaton on a large plain, he said to him "Dismount, sir; that you have been injured I acknowledge, and I am now come to give you the satisfaction of a gentleman, for being now out of my own dominions, Gustavus and you are equal. We have both I see swords and pistols; alight immediately, and receive that satisfaction which your wounded honor demands." Seaton recovering from his surprise, dismounted, as the king had already done, and falling on his knees, said,—"Sire you have more than given me satisfaction, by making me your equal. God forbid that my sword should do any mischief to so brave and gracious a prince. Permit me to return to Stockholm, and allow me the honor to live and die in your service." The king raised him from the ground, embraced him, and they returned together to Stockholm.

PETER THE GREAT.

Peter the Great was in conversation with Admiral Apraxin, when the Vice Admiral, Senavin, presented him with a salver of wine; the emperor impatiently threw back his arm, overset the salver, struck the vice admiral, and pursued his discourse as if nothing had occurred. Afterwards, recollecting himself, he asked Apraxin if he had not struck some person: "Yes," said he, "your majesty has struck the vice admiral, Senavin: it is true, he was in the wrong for interrupting your majesty, but he is a very honest man, and a brave officer." Peter then reproached himself for striking an officer of that rank; sent for him immediately, begged his pardon, kissed him, and sent him a valuable present.

THE DUKE OF YORK.

This case, which we reserve for the Military and Naval Duels, was the first in which a prince of the blood, in England, was challenged by a subject; but

THE PRINCE DE CONDE,

a few years before, met an officer of his own regiment. The Prince, in a violent passion, gave the officer a blow: he sold out, followed the prince every where, and on all occasions, public or private, was constantly in his view. The prince took the alarm, apprehending that the officer intended to assassinate him: he accord-

his highness, whose hospitality we have shared, and we believe he was as brave and honorable a soldier as the world could produce.

THE VICEROY OF NORWAY.

At a dinner given in Christiana, by Count de Sandels, the Viceroy of Norway, to a party of gentlemen, who were governors of Swedish provinces, he insulted his company, and received nine messages next day.

THE LORD LIEUTENANT OF IRELAND.

Lord Townsend, on retiring from the government of Ireland, fought and wounded the Earl of Bellamont.

We speak advisedly when we assert, that in general, the sovereigns of Christendom deplore the existence of a practice which has deprived them of brave officers, and of useful subjects; a practice which they think might be advantageously put an end to; and which must yield to one united effort of benevolence and power. We shall therefore look with great anxiety to the proceedings of the next general Congress, should no earlier arrangement be adopted through the embassys in Paris, or in London.

THE

ROYAL CODE OF HONOR.

"Honor's not captious, nor dispos'd to fight,
But, seeks to shun what's wrong, and do what's right."

I.

No duel can be considered justifiable, which can be declined with honor, therefore, an appeal to arms should always be the last resource.*

II.

When a gentleman receives a blow, or any

* Should any individual attempt to deviate from rules which have been so very highly sanctioned by the chief commander of the British army, and others whose letters we have inserted in the introduction, his adversary will be justified in refusing to recognize him as a gentleman; and should any case arise which has not been provided for sufficiently, it should be referred to arbitrators, or to a court of honor, which we can convene in London or in Dublin.

other provocation, he should immediately retire, without making the slightest retort; a line of conduct which is truly noble; which never can increase the breach, nor embarrass the question as to the first aggression; and which must always prepare the offender's mind for his offering reparation, either before, or after he may be required to do so.

III.

In a case which appears to require recurrence to a duel, the challenge should always emanate from the individual who first conceives himself offended.

IV.

Honor and revenge have no alliance; therefore, reparation for offence or injury, is all that can be fairly sought for, or conceded.

V.

The "gate of mercy" should never be closed, nor an aggressor's passage over the "golden bridge" obstructed; on the contrary, he should in every stage of the negociation, or duel, be won to a consideration of his duty, by the utmost delicacy and politeness.

VI.

Every apology which may be proposed, should be as dignified as the nature of the circumstances will admit of, it being inconsistent with true honor, to attempt the unnecessary degradation of an adversary.

VII.

An injury sustained by an individual in his property, can never be a proper subject for a duel.

VIII.

When a gentleman is the depository of any public trust, it is more honorable to sacrifice his individual feelings, than the general interests of society.*

* Having been honored by a kind assurance from the Duke of WELLINGTON, that he perused the Code of Honor with *great interest* at the period of its publication, we hoped that the hero of so many battles would have been governed by Article VIII. which recommends for public functionaries the sacrifice of private feeling to a sense of public duty.

The correspondence, however, with Lord Winchilsea, justifies the assertion of his Grace, that he neglected nothing to effect an amicable adjustment of the business. A court of honor would soon have disembarrassed both the parties.

IX.

Professional gentlemen, on whose energies or talents, the lives, fortunes, or reputation of their clients may depend, can never justify their fighting duels, without making a full, and timely surrender of their trusts.

X.

Public functionaries, such as Cabinet Ministers, Judges, Senators, Officers, Magistrates, Jurors, and Proprietors, or Editors of Literary Works, are justified in preserving their perfect independence, by the refusal of all challenges, founded on the mere discharge of public duty. A Barrister may justify interrogatories, or assertions, which affect the character, or feelings of a Witness or Suitor, by the production of a pleading, or a brief; and a Solicitor may transfer responsibility from himself, by exhibiting the written instructions from his Client, to put such interrogatories, or to make such assertions. This article cannot however, be taken as justifying either abuse, or personality, which every well bred gentleman, will be studious to avoid.*

* In the first edition of this Code, the following sentence

XI.

If Marcus receive an offence from Julius, and would remove the stain which he conceives attaches to his honor, his success in doing so, will invariably bear an exact proportion to the gentlemanly delicacy of his own behaviour.

XII.

If Marcus, in order to throw upon the first aggressor, the supposed necessity for originating the challenge, shall proceed to horse whip Julius, strike him with his fist, a stick, or even with his glove; call him liar, coward, or by any other irritating appellation, he does not efface the stain, which he imagines his reputation has contracted; but on the contrary he considerably aggravates it, by descending to a violence of action, or expression, which every well bred gentleman is habitually anx-

formed Article II. "Every gentleman should carefully abstain from nicknames, mimickry, offensive jokes, and what is usually termed horse-play, as in the imprudent indulgence of such very vulgar follies, irreconcilable quarrels but too frequently originate." It has however been advisedly displaced, to make room for the more important one which now forms Article X.

ious to avoid, and by associating with his conduct the recollection, that violence is almost invariably resorted to by persons whose bodily strength, or pugilistic science, gives them a considerable advantage over the gentlemen they are determined to assail.*

XIII.

When any gentleman neglects the honorable line of conduct, which is suggested in the 2nd and 11th Articles, and adopts that which is the subject of the 12th, he ought not to feel himself aggrieved, if he be brought before a very different tribunal, from that to which he certainly aspires unjustly.

XIV.

It is the duty of every gentleman, who experiences such violent, or abusive treatment, as has been noticed in Article 2nd, to let his assailant suffer under the influence of the stain, supposed to have been imparted by the original offence, and to seek redress for the assault, or the abusive language, from the

* "One outrage (says Rousseau) committed in return for another, does not annul the first. He who receives the first insult, is the only person offended."

Courts of Law, in order to suppress a violence, which is injurious to civilized society.

XV.

A gentleman who values his own reputation very highly, will not fight a duel with, nor act as Second to, a person who has been guilty of the conduct alluded to in Article the 12th, or of any other offence against the public morals.

XVI.

The utmost caution should always be observed in the selection of a Second; if possible he should be, a "man who is not passion's slave, a man who may be worn in a heart's core, aye, in a heart of hearts."*

* It is with considerable pain, but with a sense of public duty, that in this edition we censure the behaviour of Mr. Bric's second, upon an occasion which proved fatal to the learned gentleman. There scarcely ever was a case which afforded more facilities for an adjustment. Mr. Bric was an admirer of this Code, he and his antagonist were reasonable men, their quarrel was accidental, about a third person, and happened in the warmth of electioneering zeal. A very trifling explanation would have saved the life of Bric, and the reputation of his second. Had we been upon the ground, we would have stood between the combatants, and prevented the effusion of that blood which we afterwards

XVII.

No gentleman should accept the office of a Second, without first receiving from his friend, a written statement of the case upon his honor, which should be accessible to both the Seconds, for facilitating an accommodation, and justifying the conduct of the Principals, as well as that of the Seconds, in the event of a fatal termination to the quarrel. Every Second should also insist upon receiving a written consent, to offer, or receive such apology, submission, or explanation, as may be confidentially agreed upon, between the Principal and himself, there being melancholy instances upon record, in which the Principals have converted Seconds into mere automatons at their own command.

XVIII.

The Principals and their Seconds should al-

saw congealed. Doubtless Mr. Gregg, the second to Mr. Hayes, has frequently regretted that his not meeting Mr. Fitzgerald, and an observance of too much etiquette, should have increased the difficulties of this very simple case. We shall shew a grievous error on the part of Mr. Bric's adviser in the field, to which the learned gentleman was probably indebted for his death.

ways hold in their remembrance, that the most trifling expression, look, or gesture, may be subject to the strictest scrutiny, before a Court and Jury. as well as before the world, and their ***

XIX.

The Principals and their Seconds, should be careful to make notes of every circumstance connected with the management of the quarrel, duel, or negociation, with particular attention to time, place, language, gesture, tone and witnesses.

XX

If the receiver of a challenge, shall refuse to give a meeting on account of any alleged unworthiness in the rank or character of the challenger, he cannot be justified in offering an insinuation that he is willing to meet the Second, or another gentleman, on behalf of him who has been slighted; for by doing so, he wantonly provokes an unoffending person, who may have a very high opinion of the character which is aspersed.

XXI.

When a gentleman shall be unjustly as-

persed, under the circumstances described in the last Article, he may be effectually vindicated by the testimonials of his friends, and the aggressor may be left to the enjoyment of the public impression, respecting his courage, generosity, and justice.

XXII.

The bearer of a slighted message, cannot be justified in considering himself offended, if he be treated with politeness; because the character of his friend is a mere matter of opinion, upon which two very estimable gentlemen may differ, and it must always be a censurable intolerance, which would attempt to force upon one man's mind, even the correct opinion of another.

XXIII.

No gentleman, who values his own reputation very highly, will refuse to receive, or offer such reparation, as may be mutually agreed upon between the Seconds.

XXIV.

When bosom friends, fathers of large, or unprovided families, or very inexperienced youths are about to fight, the Seconds must

be doubly justified in their solicitude for reconciliation.*

XXV.

When giving the lie, or using any other irritating language, has been the first aggression, if it appear, that such language was resorted to under any erroneous impression, and that such impression has been satisfactorily removed by explanation, the written expression of sincere regret, for the use of such provoking language, may be offered, and accepted, consistently with the most honorable feelings; but can never with propriety be either refused, or delayed.

XXVI.

An apology, with its usual accompaniment, the offer of a whip or switch, should always be accepted for a blow, or for any other offence, which may be considered an assault.

* We can furnish several cases, in which a message has been withdrawn, in order to promote a reconciliation; this, however, must be done with an understanding that the challenger does not forego his claim.

XXVII.

The handing of a horsewhip, or a stick to a person who has been assaulted, may be dispensed with, at the solicitation of the offending party, and upon the written plea of his hazarding his commission, rank, pay, or family expectance.*

XXVIII.

If any gentleman shall be so unfortunate as to assault another, it is much more honorable for him to offer the usual accompaniment, a whip or a stick with his apology, than to neglect a reparation which the public opinion so very firmly demands.

XXIX.

A Principal should not be allowed to wear light coloured clothing, ruffles, military decorations, or any other very attractive object, upon which the eye of his antagonist may rest.

* We shall justify this by cases which are before us.

XXX.

The squibbing or trying of pistols on the ground, or in its vicinity, should never be permitted, and there never should be two cases of pistols loaded at a time, as the delay in loading, between the discharge of shots, may afford facilities for reconciliation.

XXXI.

If a duel should originate in a wanton charge of cowardice, it is not necessary that the offended party should vindicate his courage by standing many shots: on the contrary, he may leave the ground with honor after the first discharge, even though his adversary, forgetful of his duty, should refuse to retract, and apologize for an accusation so ungenerously preferred.

XXXII.

If a gentleman be urged or allowed to fight, who is in liquor, unprepared with a confidential Second, or who has not had sufficient time to make a proper disposition of his property and trusts, for the advantage of his family,

constituents, clients, wards, or creditors,* a suspicion of foul play must inevitably attach itself to all persons by whom it may be sanctioned, suggested, or even witnessed without opposition.

XXXIII.

If a challenged party shall refuse the satisfaction which may be required, a simple notification of the facts, through any public journal, will be far more creditable to the challenger, than personal violence, or what is usually termed posting.

XXXIV.

The Second of the party who has been challenged, should invariably have the appointment of the time and place of meeting. The scene of action should be as convenient as possible to both the combatants, especially to surgical assistance; and all extravagant propositions should be carefully rejected, such as fighting across a table, at handkerchief's

* We are collecting the names of surgeons and attorneys who may be advantageously consulted on the point of honor, as well as upon their own professional business.

length, or hand to hand; using daggers, knives, rifles, blunderbusses, &c.

XXXV.

As the death of an individual may sometimes bring party feelings into action, a meeting should be as private as possible, consistently with all the circumstances of the case.

XXXVI.

The boundary of the county in which the offence was given, should not be crossed, except in the avoidance of pursuit, or in cases where very strong popular feeling may exist in favour of a Principal.

XXXVII.

In choosing the scene of action, special precaution should invariably be used, to prevent the necessity for carrying wounded gentlemen over walls, ditches, gates, stiles, or hedges; or too great a distance to a dwelling.

XXXVIII.

The parties should invariably salute each other at their meeting on the ground, and they should be emulous in offering this evi-

dence of civilization, remembering that they have, by the very act of meeting, made an acknowledgment of equality, and evinced a perfect willingness to receive, or offer, the supposed necessary reparation.

XXXIX.

Until a perfect reconciliation shall have been agreed upon, a Principal should avoid all conversation with his adversary ;* the Seconds should invariably be the organs of their Principals, and every conversation between a Principal and his Second should be so perfectly apart, as to preclude the opposite party from recognizing their words, looks, or gestures.

XL.

Every choice, or advantage, which may present itself upon the ground, should be invariably decided by the toss of three, five, or seven coins, after they have been carefully shaken in a hat.

XLI.

The challenged party should have the first

The neglect of this rule exposed Mr. Battier to irreparable inconvenience.

toss, the challenger the second, and so on in alternate succession, as long as any choice, or advantage, shall remain to be decided.

XLII.

No boast, threat, trick, or stratagem, which may wound the feelings, or lessen the equality of the combatants, should ever enter into the contemplation of a gentleman.

XLIII.

No gentleman should be permitted to wear spectacles, or an eyeglass on the ground, but such as habitually use them in the public streets.

XLIV.

Gentlemen who do not set a very exorbitant value upon their time and labour, will avoid refusing, even upon the ground, such an apology, as they would have accepted in the earlier stages of negociation.*

XLV.

The parties should never be allowed to

* We shall furnish plenty of precedents for amicable settlements upon the ground.

fight at less than ten yards distance, to be always well defined by toe-stones, for the advanced feet of the combatants ; and as duelling pistols, will inflict a mortal wound at more than forty yards, very trivial differences may be terminated at that distance.

XLVI.

If unfortunately, swords should be preferred to pistols, the ground should be clean, dry, and even, and the combatants stationed so far asunder, that neither can possibly take the other by surprise.

XLVII.

If the parties are to fight with pistols, they should never be stationed in highways, footpaths, under walls or hedges, or along the ridges of a field, as all right lines contribute to the guidance of the weapon, and expose the parties to a danger, which is at least unnecessary.

XLVIII.

No duel should be fought on Sunday, or on a Festival ; for twenty-four hours after the challenge is delivered ; nor near a place of

public worship; and before the parties are permitted to fire, they should be cautioned not to pass the toe-stones or stakes which mark the measured distance.

XLIX.

The Seconds should stand between the Principals thus:

P. S.....S. P.

when conferring with, or presenting pistols to them, and the feather springs should not be set, nor the pistols cocked before delivery.

L.

The signal should be a white handkerchief, or other very attractive object, placed upon the ground, exactly midway between the Principals, that each may have a view of it, and that one of the Seconds may withdraw it at his pleasure by a cord.

LI.

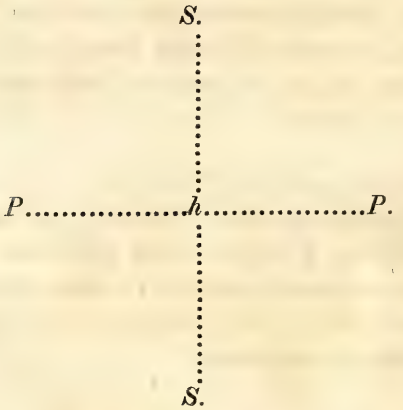
The Seconds should meet at the white handkerchief in the centre, thus:

P.....S. h. S.....P.

during every conference with each other on the ground, and while they are loading the pistols.

LII.

Previous to the moving of the handkerchief, the Seconds should retire from the centre, at right angles, to the sides on which they may be conveniently observed by the respective Principals, thus:—*



LIII.

Previous to the moving of the handker-

* We have several cases in which seconds have been killed or wounded.

chief, the Second of the challenger, should again solicit reparation for his friend, and if the parties still continue obstinate, he should enquire distinctly, if they are prepared.

LIV.

The parties should present and fire together, at the signal previously agreed on, without resting on their aim, or they should lose their right to fire ; and firing by word of command, should be invariably avoided, as in such cases, unnecessary danger is incurred, by permitting the eye to make a preparatory rest upon its object.

LV.

The Seconds should mutually and zealously attempt a reconciliation after every discharge of pistols ; but this is always the indispensable duty of the Second to him who has received the challenge.*

* Surgeons who, like the late John Adrien and his son, are as well acquainted with the point of honor as with gunshot wounds, may offer their conciliatory suggestions when attending *reasonable gentlemen*. Mr. Hume went farther, he even charged the pistols for Lords Wellington and Winchilsea. Indeed all by standers, may in some degree

LVI.

Neither an Aggressor, nor his Second, can ever be justified for endangering the life of a gentleman, who may have been assaulted, injured, or offended *

LVII.

Neither Principal, nor Second, can justify the abandonment of a gentleman who may be wounded, without previously securing for him a proper conveyance from the field; for the retreat of a brave man, should always be as dignified as his advance.

LVIII.

When the quarrel shall have terminated,

be considered as the representatives of that public, in whose estimation every gentleman should be anxious to stand well; and being much less interested than the principals or seconds, their temperate interference may be justly influential in the happy termination of a quarrel.

* Gentlemen who make immediate reparation when applied to, must derive considerable satisfaction from the recollection of their having spared the friends and relatives of both the parties, that great anxiety which is usually excited by the knowledge of a quarrel and the prospect of a hostile meeting in the field. Such a line of conduct is far preferable to the standing for a shot, and the discharging of a pistol in the air. Surely if reparation should be made it cannot be made too soon.

the Seconds should remind the friends and relatives of the combatants, that the slightest indiscretion in their conversation on the subject, may renew the breach, and render a second meeting fatal.

LIX.

When a reconciliation* shall have been effected, or a duel terminated, the Principals should very carefully abstain from conversation upon the subject, always referring, if it should be necessary, to the Seconds, or to their written testimonials.

LX

Finally, as the reputation of each party, at the termination of a quarrel, or a duel, must bear an exact proportion to the respectable behaviour of the other; neither a Principal nor his Second, can boast of any triumph or

* "Nothing is more moving to a man than the spectacle of reconciliation: our weaknesses are indemnified, and are not too costly—being the price we pay for the hour of forgiveness: and the archangel who has never felt anger, has reason to envy the man who subdues it. When thou forgivest—the man, who has pierced thy heart, stands to thee in the relation of a sea-worm that perforates the shell of the muscle, which straightway closes the wound with a pearl."

advantage, without a considerable abatement of his glory, as well as an abandonment of that chivalrous generosity, which must for ever be inseparable from the Point of Honor. The Author of DOUGLAS declares, that

> "The noblest vengeance is the most complete."

And another judicious writer has observed, that

> "Cowards are cruel; but the brave
> Love mercy, and delight to save."

Let every gentleman, then, who may be jealous of his honor, be careful not to tarnish it, by the means which he adopts for its support: let him say with Sheridan, "To judge the action, I must know the means;" or with Addison,

> "Honor's a sacred tie, the law of Kings,
> The noble mind's distinguishing perfection,
> That aids and strengthens virtue, where it meets her,
> And imitates her actions, where she is not;
> It ought not to be sported with."

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